

## RATION FOR PATENT APPLICATION

Bucket # 5700

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believed I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED AND PARTIALLY OCCLUDED ARTERIES, the specification of which

(check one)  is attached hereto.

— was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Mo./Yr. Filed)	Yes	No
_____	_____	_____	Yes	No
_____	_____	_____	Yes	No
_____	_____	_____	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of this prior application and the national or PCT International filing date of this application:

\_\_\_\_\_ (Application Ser. No) (Filing Date) (Patented, Pending, Abandoned)

\_\_\_\_\_ (Application Ser. No) (Filing Date) (Patented, Pending, Abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

MR. LYNN G. FOSTER - registration 21189

Address all phone calls to Lynn G. Foster Phone No. (801) 364-5633  
Address all correspondence to

— MR. LYNN G. FOSTER  
— 602 East 300 South  
— Salt Lake City, Utah 84102

BEST AVAILABLE COPY

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or joint inventor Mark Plaia Date June 4, 1993  
Inventor's signature Mark Plaia Citizenship USA  
Residence Tigard, Oregon  
Post Office Address 9740 SW McDonald Street  
Tigard, Oregon 97224

Full name of second or joint inventor, if any Vincent A. Reger

Second Inventor's signature Vincent A. Reger Date 6-4-93  
Residence Portland, Oregon Citizenship USA  
Post Office Address 8030-L Brookridge Street  
Portland, Oregon 97225

Full name of third or joint inventor, if any Gregory N. Nordgren

Third Inventor's signature Gregory N. Nordgren Date 6-4-93  
Residence Wilsonville, Oregon Citizenship USA  
Post Office Address 29670 Jackson Way  
Wilsonville, Oregon 97070

# DECLARATION FOR PATENT APPLICATION

Docket # 57

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which patent is sought on the invention entitled ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED ANI PARTIALLY OCCLUDED ARTERIES.

(check one) \_\_\_\_\_ is attached hereto

was filed on June 7, 1993 as Application Serial No  
08/073,002, and was amended on \_\_\_\_\_

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

## Priority Claimed

(Number)	(Country)	(Day/Mo./Yr. Filed)	Yes	No
_____	_____	_____	Yes	No
_____	_____	_____	Yes	No

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below and, insofar as the subject matter of each claim of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(s) which occurred between the filing date of this prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Patented, Pending, Abandoned)
_____	_____	_____

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Mr. Lynn G. Foster, Registration No. 21,189.

Address all phone calls to Lynn G. Foster, (801) 364-5633.

Address all correspondence to:

Lynn G. Foster  
FOSTER & FOSTER  
602 East 300 South  
Salt Lake City, Utah 84102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Mark Plaia

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Tigard, Oregon

Citizenship USA

Post Office Address: 9740 SW McDonald Street, Tigard, Oregon 97224

Full name of sole or first inventor Vincent A. Reger

Inventor's signature Vincent A. Reger Date 11/19/95

Residence Portland, Oregon

Citizenship USA

Post Office Address: 8030-L Brookridge Street, Portland, Oregon 97225

Full name of sole or first inventor Gregory N. Nordgren

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Wilsonville, Oregon

Citizenship USA

Post Office Address: 29670 Jackson Way, Wilsonville, Oregon 97070

Applicant or Patentee: Mark Plaia, et. al.

Attorney's  
Docket No.: 5770

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED AND PARTIALLY OCCLUDED ARTERIES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED AND PARTIALLY OCCLUDED ARTERIES described in

the specification filed herewith

application serial no. \_\_\_\_\_, filed \_\_\_\_\_

patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization

persons, concerns or organizations listed below \*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Mark Plaia  
NAME OF INVENTOR

Vincent A. Reger  
NAME OF INVENTOR

Gregory N. Nordaren  
NAME OF INVENTOR

NAME OF INVENTOR

Mark Plaia  
Signature

Vincent A. Reger  
Signature

Gregory N. Nordaren  
Signature

Signature

June 2, 1993  
Date

Date

Date

6-2-93

Date

Applicant or Patentee: M \_\_\_\_\_  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_

a, et. al.

5770

Title: ANTI-STENOTIC METHOD AND PRODUCT FOR  
OCCLUDED AND PARTIALLY OCCLUDED ARTERIES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Endovascular Instruments, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN 14945 SW Sequoia Parkway, Suite 180  
Portland, Oregon 97224

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED  
AND PARTIALLY OCCLUDED ARTERIES by inventors Mark Plaia, Vincent A.  
Reger, and Gregory N. Nordgren, as described in

the specification filed herewith  
 application serial no. \_\_\_\_\_ filed \_\_\_\_\_  
 patent no. \_\_\_\_\_ issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention asserting their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
 INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Thomas A. Wiita  
TITLE OF PERSON IF OTHER THAN OWNER Acting President and CEO  
ADDRESS OF PERSON SIGNING 14945 SW Sequoia Parkway, Suite 180  
Portland, Oregon 97224

SIGNATURE T. A. Wiita DATE 6/2/93

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION SERIAL NO.: ..... Unknown  
FILING DATE: ..... Filed Herewith  
APPLICANT: ..... Mark Plaia, et al.  
PROBABLE GROUP ART UNIT: ..... 3308  
PROBABLE EXAMINER: ..... R. Clarke  
ATTORNEY'S DOCKET NO.: ..... 5770  
TITLE: ..... "ANTI-STENOTIC METHOD AND PRODUCT FOR  
OCCLUDED AND PARTIALLY OCCLUDED ARTERIES"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(e) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention a entitled "ANTI-STENOTIC METHOD AND PRODUCT FOR OCCLUDED AND PARTIALLY OCCLUDED ARTERIES" described in application Serial No. 08/073,002, filed June 7, 1993.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights to the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization  
 persons, concerns or organizations listed below

Note: Separate verified statements are required from each named individual, concern or organization having right to the invention according to their status as small entities (37 CFR 1.27)

NAME:

ADDRESS:

Individual       Small Business Concern       Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Mark Plaia  
Name of Inventor

Signature of Inventor

Date

Vincent A. Reger  
Name of Inventor

Signature of Inventor

Date

Grocery N. Nordgren  
Name of Inventor

Signature of Inventor

Date

11/19/95

A S S I G N M E N T

We, MARK PLAIA of 9740 SW McDonald St., Tigard, OR 97224,  
Vincent H. Reger of 8030-L, Brookridge St., Portland, OR 97225,  
U.S.A., and Gregory N. Nordgren  
of 29670 Jackson Way, Wilsonville, OR 97070  
U.S.A., have invented a ANTI-STENOTIC METHOD AND PRODUCT  
FOR OCCLUDED AND PARTIALLY OCCLUDED ARTERIES  
hereinafter called the "invention."

Preferred embodiments of said invention are disclosed in a United States patent application heretofore executed by us and now identified as file No. 5770 of Lynn G. Foster, Patent Attorney, (U.S. Patent Office Registration No. 21189) and filed in the United States Patent Office as Serial No. 08/073,002 on June 7, 1993.  
(We hereby authorize Lynn G. Foster to insert said Serial No. and filing date when known.)

The Assignee, EndoVascular Instruments, Inc.  
14945 SW Sequoia Parkway, Suite 180  
Portland, Oregon 97224  
desires to secure the entire right, title and interest in said invention.

In consideration of \$1.00 and other good and valuable considerations paid to us by the Assignee, the receipt and sufficiency of which we hereby acknowledge, WE HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in said invention and in the above-identified United States Patent application and in all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

We hereby authorize and request the United States Commissioner of Patents and such Patent Office Officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behoof of the said Assignee, its successors, assigns and legal representatives.

We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of us to make this assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

REF ID: A827391

00000000000000000000000000000000

4447391-FM4227

Signed Mark Plaia (L.S.)  
MARK PLAIA

State of OREGON)  
County of washington)  
ss.

On June 2, 1993, before me personally  
appeared MARK PLAIA known to me to be the  
person described and who signed the annexed assignment in my  
presence and acknowledged under oath before me that he has  
read the same and knows the contents thereof and that he  
executed the same as his free act and deed and for the purposes  
set forth therein.



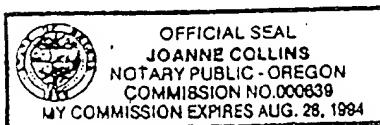
Joanne Collins  
Notary Public

(SEAL)

Signed Vincent A. Reger (L.S.)  
VINCENT A. REGER

State of OREGON)  
County of washington)  
ss.

On June 2, 1993, Before me personally  
appeared VINCENT A. REGER known to me to  
be the person described and who signed the annexed assignment  
in my presence and acknowledged under oath before me that he  
has read the same and knows the contents thereof and that he  
executed the same as his free act and deed and for the purposes  
set forth therein.



Joanne Collins  
Notary Public

(SEAL)

Signed Gregory N. Nordgren (L.S.)

State of OREGON)

County of washington)

ss.

On June 2, 1993, before me personally appeared GREGORY N. NORDGREN known to me to be the person described and who signed the annexed assignment in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.



Joanne Collins  
Notary Public

RECORDED  
PATENT & TRADEMARK OFFICE

(SEAL)

MAR 16 95

Signed \_\_\_\_\_ (L.S.)

State of \_\_\_\_\_)

County of \_\_\_\_\_)

ss.

On \_\_\_\_\_, 19\_\_\_\_, Before me personally appeared \_\_\_\_\_ known to me to be the person described and who signed the annexed assignment in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed and for the purposes set forth therein.

Notary Public

(SEAL)

REF ID: A67391 FILED 2/8/95